JUDICIAL MERIT SELECTION COMMISSION PERSONAL DATA QUESTIONNAIRE

Court, Position, and Seat # for which you are applying: South Carolina Court of Appeals, Chief Judge, Seat #5

1. NAME:

Mr. Paul E. Short, Jr.

BUSINESS ADDRESS:

158 Main Street, Room 107

Post Office Box 1006

Chester, South Carolina 29706

E-MAIL ADDRESS:

pshort@sccourts.org

TELEPHONE NUMBER:

(office): (803) 581-5011

2. Date of Birth:

1947

Place of Birth:

Gastonia, North Carolina

3. Are you a citizen of South Carolina? YES

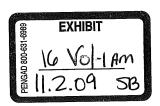
Have you been a resident of this state for at least the immediate past five years? YES

- 5. Family Status: Married on June 14, 1968, to Linda Huffstetler Short. Never divorced. Two children.
- 6. Have you served in the military?
 - U.S. Army, June 1968; entered active duty August 1971; discharged from active duty November 1971; served S.C. National Guard until 1973; discharged U.S. Army Reserve 1974; highest rank attained was 1st Lieutenant; Present Status, Inactive Reserve; Honorably Discharged as Captain. Serial number: XXX-XXXXX
- 7. List each college and law school you attended, including the dates of your attendance, the degrees you received, and if you left an institution without receiving a degree, the reason for your departure.
 - (a) The Citadel; 1964-1968; B.A. Political Science
 - (b) University of South Carolina Law School; 1968-1971; Juris Doctorate
 - (c) University of Nevada/Reno; Summers 1998-2001 (All course work for Master in Judicial Studies completed)
- 8. List the states in which you have been admitted to practice law and the year of each admission. Also list any states in which you took the bar exam but were never admitted to the practice of law. If you took the bar exam more than once in any of the states listed, please indicate the number of times you took the exam in each state.

South Carolina: 1971

9. List the significant activities in which you took part during your attendance at college, graduate, and law school. Give the dates you were involved in these activities and list any leadership positions you held.

<u>The Citadel</u>: Assistant Manager, Basketball Team, 1964-65; ROTC, 1964-68; Squad Sergeant, 1966, 2nd Lt. Corps of Cadets, 1968; member Senior Class Board of Directors



<u>University of South Carolina School of Law</u>: Phi Delta Phi Legal Fraternity; Law Clerk of Attorneys Betty Sloan and Claud Sapp, 1969-71

10. Describe your continuing legal or judicial education during the past five years. Include only the title and date of any continuing legal or judicial education course completed.

(a) 4 th Annual Judicial Symposium 07/11/08; (b) Judicial Conference 08/20/08; (c) Post-Conviction Relief Seminar 12/05/08; (d) 7 th Annual Civil Law Update 01/23/08; (e) 24 th Annual SC Criminal Law Update 01/23/08; (f) NC/SC Appellate Judges' Conference 03/01/07; (g) Annual Judicial Conference 08/22/07; (h) The Law Clerk & Staff Code of Conduct 12/19/07; (i) 4 th Annual Civil Law Update 01/27/06; (j) 21 st Annual Criminal Law Update 01/27/06; (k) EIJ/Economics Institute for Judges 03/20/06; (l) NJC/Essential Skills for the Appellate 07/01/06; (m) NYUSCP/Appellate Judges Seminar 07/10/06; (n) CLO/Mini Summit on Justice for Children 08/23/06; (o) Annual Judicial Conference 08/23/06; (p) NJC/South Carolina Judges/Journalists 09/28/06 (q) Crawford: A Hearsay Chimera 04/15/05; (r) Post Conviction Relief	Conference/CLE Name		
(c) Post-Conviction Relief Seminar 12/05/08; (d) 7th Annual Civil Law Update 01/23/08; (e) 24th Annual SC Criminal Law Update 01/23/08; (f) NC/SC Appellate Judges' Conference 03/01/07; (g) Annual Judicial Conference 08/22/07; (h) The Law Clerk & Staff Code of Conduct 12/19/07; (i) 4th Annual Civil Law Update 01/27/06; (j) 21st Annual Criminal Law Update 01/27/06; (k) EIJ/Economics Institute for Judges 03/20/06; (l) NJC/Essential Skills for the Appellate 07/01/06; (m) NYUSCP/Appellate Judges Seminar 07/10/06; (n) CLO/Mini Summit on Justice for Children 08/22/06; (o) Annual Judicial Conference 08/23/06; (p) NJC/South Carolina Judges/Journalists 09/28/06; (q) Crawford: A Hearsay Chimera 04/15/05; (r) Post Conviction Relief Seminar 06/09/05; (s) Annual Judicial Conference 08/24/05; (t) Ethics 2005 Seminar <td></td> <td></td> <td><u>Date(s)</u> 07/11/08;</td>			<u>Date(s)</u> 07/11/08;
(d) 7th Annual Civil Law Update 01/23/08; (e) 24th Annual SC Criminal Law Update 01/23/08; (f) NC/SC Appellate Judges' Conference 03/01/07; (g) Annual Judicial Conference 08/22/07; (h) The Law Clerk & Staff Code of Conduct 12/19/07; (i) 4th Annual Civil Law Update 01/27/06; (j) 21st Annual Criminal Law Update 01/27/06; (k) ElJ/Economics Institute for Judges 03/20/06; (l) NJC/Essential Skills for the Appellate 07/01/06; (m) NYUSCP/Appellate Judges Seminar 07/10/06; (n) CLO/Mini Summit on Justice for Children 08/22/06; (o) Annual Judicial Conference 08/23/06; (p) NJC/South Carolina Judges/Journalists 09/28/06; (q) Crawford: A Hearsay Chimera 04/15/05; (r) Post Conviction Relief Seminar 06/09/05; (s) Annual Judicial Conference 08/24/05; (t) Ethics 2005 Seminar 09/21/05; (u) SCDTAA Annual Meeting 11/03/05; (v) Appellate/Federal Judges Confe	(b)	Judicial Conference	08/20/08;
(e) 24 th Annual SC Criminal Law Update 01/23/08; (f) NC/SC Appellate Judges' Conference 03/01/07; (g) Annual Judicial Conference 08/22/07; (h) The Law Clerk & Staff Code of Conduct 12/19/07; (i) 4th Annual Civil Law Update 01/27/06; (j) 21 st Annual Criminal Law Update 01/27/06; (k) EIJ/Economics Institute for Judges 03/20/06; (l) NJC/Essential Skills for the Appellate 07/01/06; (m) NYUSCP/Appellate Judges Seminar 07/10/06; (n) CLO/Mini Summit on Justice for Children 08/22/06; (o) Annual Judicial Conference 08/23/06; (p) NJC/South Carolina Judges/Journalists 09/28/06 (q) Crawford: A Hearsay Chimera 04/15/05; (r) Post Conviction Relief Seminar 06/09/05; (s) Annual Judicial Conference 08/24/05; (t) Ethics 2005 Seminar 09/21/05; (u) SCDTAA Annual Meeting 11/03/05; (v) Appellate/Federal Judges Conference </td <td>(c)</td> <td>Post-Conviction Relief Seminar</td> <td>12/05/08;</td>	(c)	Post-Conviction Relief Seminar	12/05/08;
(f)NC/SC Appellate Judges' Conference03/01/07;(g)Annual Judicial Conference08/22/07;(h)The Law Clerk & Staff Code of Conduct12/19/07;(i)4th Annual Civil Law Update01/27/06;(j)21st Annual Criminal Law Update01/27/06(k)ElJ/Economics Institute for Judges03/20/06;(l)NJC/Essential Skills for the Appellate07/01/06;(m)NYUSCP/Appellate Judges Seminar07/10/06;(n)CLO/Mini Summit on Justice for Children08/22/06;(o)Annual Judicial Conference08/23/06;(p)NJC/South Carolina Judges/Journalists09/28/06(q)Crawford: A Hearsay Chimera04/15/05;(r)Post Conviction Relief Seminar06/09/05;(s)Annual Judicial Conference08/24/05;(t)Ethics 2005 Seminar09/21/05;(u)SCDTAA Annual Meeting11/03/05;(v)Appellate/Federal Judges Conference05/26-27/05;(w)19th Annual Criminal Law Update01/23/04;(x)2nd Annual Civil Law Update01/23/04;(y)SCCA Judicial Conference08/19/04;	(d)	7 th Annual Civil Law Update	01/23/08;
(g) Annual Judicial Conference (h) The Law Clerk & Staff Code of Conduct (i) 4th Annual Civil Law Update (j) 21st Annual Criminal Law Update (k) ElJ/Economics Institute for Judges (l) NJC/Essential Skills for the Appellate (n) CLO/Mini Summit on Justice for Children (o) Annual Judicial Conference (p) NJC/South Carolina Judges/Journalists (q) Crawford: A Hearsay Chimera (r) Post Conviction Relief Seminar (o) Annual Judicial Conference (s) Annual Judicial Conference (o) Crawford: A Hearsay Chimera (o) Crawford: A Hearsay Chimera (o) Crawford: A Hearsay Chimera (o) Ob/25/05; (r) Post Conviction Relief Seminar (o) Ob/205; (g) Annual Judicial Conference (o) SCDTAA Annual Meeting (v) Appellate/Federal Judges Conference (o) 5/26-27/05; (w) 19th Annual Criminal Law Update (v) SCCA Judicial Conference	(e)	24 th Annual SC Criminal Law Update	01/23/08;
(h) The Law Clerk & Staff Code of Conduct (i) 4 th Annual Civil Law Update (j) 21 st Annual Criminal Law Update (k) ElJ/Economics Institute for Judges (l) NJC/Essential Skills for the Appellate (m) NYUSCP/Appellate Judges Seminar (n) CLO/Mini Summit on Justice for Children (o) Annual Judicial Conference (p) NJC/South Carolina Judges/Journalists (q) Crawford: A Hearsay Chimera (q) Crawford: A Hearsay Chimera (r) Post Conviction Relief Seminar (o6/09/05; (s) Annual Judicial Conference (t) Ethics 2005 Seminar (v) Appellate/Federal Judges Conference (v) SCCA Judicial Conference	(f)	NC/SC Appellate Judges' Conference	03/01/07;
(i) 4 th Annual Civil Law Update 01/27/06; (j) 21 st Annual Criminal Law Update 01/27/06 (k) ElJ/Economics Institute for Judges 03/20/06; (l) NJC/Essential Skills for the Appellate 07/01/06; (m) NYUSCP/Appellate Judges Seminar 07/10/06; (n) CLO/Mini Summit on Justice for Children 08/22/06; (o) Annual Judicial Conference 08/23/06; (p) NJC/South Carolina Judges/Journalists 09/28/06 (q) Crawford: A Hearsay Chimera 04/15/05; (r) Post Conviction Relief Seminar 06/09/05; (s) Annual Judicial Conference 08/24/05; (t) Ethics 2005 Seminar 09/21/05; (u) SCDTAA Annual Meeting 11/03/05; (v) Appellate/Federal Judges Conference 05/26-27/05; (w) 19 th Annual Criminal Law Update 01/23/04; (x) 2 nd Annual Civil Law Update 01/23/04; (y) SCCA Judicial Conference 08/19/04;	(g)	Annual Judicial Conference	08/22/07;
(j) 21st Annual Criminal Law Update 01/27/06 (k) EIJ/Economics Institute for Judges 03/20/06; (l) NJC/Essential Skills for the Appellate 07/01/06; (m) NYUSCP/Appellate Judges Seminar 07/10/06; (n) CLO/Mini Summit on Justice for Children 08/22/06; (o) Annual Judicial Conference 08/23/06; (p) NJC/South Carolina Judges/Journalists 09/28/06; (q) Crawford: A Hearsay Chimera 04/15/05; (r) Post Conviction Relief Seminar 06/09/05; (s) Annual Judicial Conference 08/24/05; (t) Ethics 2005 Seminar 09/21/05; (u) SCDTAA Annual Meeting 11/03/05; (v) Appellate/Federal Judges Conference 05/26-27/05; (w) 19th Annual Criminal Law Update 01/23/04; (x) 2nd Annual Civil Law Update 01/23/04; (y) SCCA Judicial Conference 08/19/04;	(h)	The Law Clerk & Staff Code of Conduct	12/19/07;
(k) EIJ/Economics Institute for Judges (I) NJC/Essential Skills for the Appellate (II) NJC/Essential Skills for the Appellate (III) NYUSCP/Appellate Judges Seminar (IIII) O7/10/06; (IIII) O7/10/06; (IIII) O7/10/06; (IIII) O7/10/06; (IIII) O7/10/06; (IIIII) O7/10/06; (IIIII) O7/10/06; (IIIII) O7/10/06; (IIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIII	(i)	4 th Annual Civil Law Update	01/27/06;
(I) NJC/Essential Skills for the Appellate 07/01/06; (m) NYUSCP/Appellate Judges Seminar 07/10/06; (n) CLO/Mini Summit on Justice for Children 08/22/06; (o) Annual Judicial Conference 08/23/06; (p) NJC/South Carolina Judges/Journalists 09/28/06 (q) Crawford: A Hearsay Chimera 04/15/05; (r) Post Conviction Relief Seminar 06/09/05; (s) Annual Judicial Conference 08/24/05; (t) Ethics 2005 Seminar 09/21/05; (t) Ethics 2005 Seminar 09/21/05; (v) Appellate/Federal Judges Conference 05/26-27/05; (w) 19 th Annual Criminal Law Update 01/23/04; (x) 2 nd Annual Civil Law Update 01/23/04; (y) SCCA Judicial Conference 08/19/04;	(j)	21st Annual Criminal Law Update	01/27/06
(m)NYUSCP/Appellate Judges Seminar07/10/06;(n)CLO/Mini Summit on Justice for Children08/22/06;(o)Annual Judicial Conference08/23/06;(p)NJC/South Carolina Judges/Journalists09/28/06(q)Crawford: A Hearsay Chimera04/15/05;(r)Post Conviction Relief Seminar06/09/05;(s)Annual Judicial Conference08/24/05;(t)Ethics 2005 Seminar09/21/05;(u)SCDTAA Annual Meeting11/03/05;(v)Appellate/Federal Judges Conference05/26-27/05;(w)19th Annual Criminal Law Update01/23/04;(x)2nd Annual Civil Law Update01/23/04;(y)SCCA Judicial Conference08/19/04;	(k)	EIJ/Economics Institute for Judges	03/20/06;
(n)CLO/Mini Summit on Justice for Children08/22/06;(o)Annual Judicial Conference08/23/06;(p)NJC/South Carolina Judges/Journalists09/28/06(q)Crawford: A Hearsay Chimera04/15/05;(r)Post Conviction Relief Seminar06/09/05;(s)Annual Judicial Conference08/24/05;(t)Ethics 2005 Seminar09/21/05;(u)SCDTAA Annual Meeting11/03/05;(v)Appellate/Federal Judges Conference05/26-27/05;(w)19th Annual Criminal Law Update01/23/04;(x)2nd Annual Civil Law Update01/23/04;(y)SCCA Judicial Conference08/19/04;	(1)	NJC/Essential Skills for the Appellate	07/01/06;
(o)Annual Judicial Conference08/23/06;(p)NJC/South Carolina Judges/Journalists09/28/06(q)Crawford: A Hearsay Chimera04/15/05;(r)Post Conviction Relief Seminar06/09/05;(s)Annual Judicial Conference08/24/05;(t)Ethics 2005 Seminar09/21/05;(u)SCDTAA Annual Meeting11/03/05;(v)Appellate/Federal Judges Conference05/26-27/05;(w)19th Annual Criminal Law Update01/23/04;(x)2nd Annual Civil Law Update01/23/04;(y)SCCA Judicial Conference08/19/04;	(m)	NYUSCP/Appellate Judges Seminar	07/10/06;
(p)NJC/South Carolina Judges/Journalists09/28/06(q)Crawford: A Hearsay Chimera04/15/05;(r)Post Conviction Relief Seminar06/09/05;(s)Annual Judicial Conference08/24/05;(t)Ethics 2005 Seminar09/21/05;(u)SCDTAA Annual Meeting11/03/05;(v)Appellate/Federal Judges Conference05/26-27/05;(w)19th Annual Criminal Law Update01/23/04;(x)2nd Annual Civil Law Update01/23/04;(y)SCCA Judicial Conference08/19/04;	(n)	CLO/Mini Summit on Justice for Children	08/22/06;
(q)Crawford: A Hearsay Chimera04/15/05;(r)Post Conviction Relief Seminar06/09/05;(s)Annual Judicial Conference08/24/05;(t)Ethics 2005 Seminar09/21/05;(u)SCDTAA Annual Meeting11/03/05;(v)Appellate/Federal Judges Conference05/26-27/05;(w)19th Annual Criminal Law Update01/23/04;(x)2nd Annual Civil Law Update01/23/04;(y)SCCA Judicial Conference08/19/04;	(o)	Annual Judicial Conference	08/23/06;
(r)Post Conviction Relief Seminar06/09/05;(s)Annual Judicial Conference08/24/05;(t)Ethics 2005 Seminar09/21/05;(u)SCDTAA Annual Meeting11/03/05;(v)Appellate/Federal Judges Conference05/26-27/05;(w)19th Annual Criminal Law Update01/23/04;(x)2nd Annual Civil Law Update01/23/04;(y)SCCA Judicial Conference08/19/04;	(p)	NJC/South Carolina Judges/Journalists	09/28/06
(s) Annual Judicial Conference 08/24/05; (t) Ethics 2005 Seminar 09/21/05; (u) SCDTAA Annual Meeting 11/03/05; (v) Appellate/Federal Judges Conference 05/26-27/05; (w) 19 th Annual Criminal Law Update 01/23/04; (x) 2 nd Annual Civil Law Update 01/23/04; (y) SCCA Judicial Conference 08/19/04;	(q)	Crawford: A Hearsay Chimera	04/15/05;
(t)Ethics 2005 Seminar09/21/05;(u)SCDTAA Annual Meeting11/03/05;(v)Appellate/Federal Judges Conference05/26-27/05;(w)19th Annual Criminal Law Update01/23/04;(x)2nd Annual Civil Law Update01/23/04;(y)SCCA Judicial Conference08/19/04;	(r)	Post Conviction Relief Seminar	06/09/05;
(u)SCDTAA Annual Meeting11/03/05;(v)Appellate/Federal Judges Conference05/26-27/05;(w)19th Annual Criminal Law Update01/23/04;(x)2nd Annual Civil Law Update01/23/04;(y)SCCA Judicial Conference08/19/04;	(s)	Annual Judicial Conference	08/24/05;
(v)Appellate/Federal Judges Conference05/26-27/05;(w)19th Annual Criminal Law Update01/23/04;(x)2nd Annual Civil Law Update01/23/04;(y)SCCA Judicial Conference08/19/04;	(t)	Ethics 2005 Seminar	09/21/05;
(w)19th Annual Criminal Law Update01/23/04;(x)2nd Annual Civil Law Update01/23/04;(y)SCCA Judicial Conference08/19/04;	(u)	SCDTAA Annual Meeting	11/03/05;
(x) 2 nd Annual Civil Law Update 01/23/04; (y) SCCA Judicial Conference 08/19/04;	(v)	Appellate/Federal Judges Conference	05/26-27/05;
(y) SCCA Judicial Conference 08/19/04;	(w)	19 th Annual Criminal Law Update	01/23/04;
	(x)	2 nd Annual Civil Law Update	01/23/04;
(z) Revised Lawyer's Oath CLE 07/28/04;	(y)	SCCA Judicial Conference	08/19/04;
	(z)	Revised Lawyer's Oath CLE	07/28/04;
(aa) Judicial Oath of Office 08/19/04.	(aa)	Judicial Oath of Office	08/19/04.

- 11. Have you taught law-related courses or lectured at bar association conferences, educational institutions, or continuing legal or judicial education programs?
 - (a) I have made presentations to Circuit Court Judges on the Court of Appeals at the Circuit Court Judges' Conference.
 - (b) I spoke on the topic <u>Case File Development and Review, A View from</u> the Judiciary at the South Carolina Solicitors' Conference.
 - (c) I have served as a Group Facilitator with the faculty for a General Jurisdiction Course at the National Judicial College/Reno, Nevada for new Judges leading group discussions four hours each day on a wide variety of legal topics.

- (d) I was instructor for a Seminar for South Carolina Legal Secretaries Association on the topic of Rules of Civil Procedure.
- 12. List all published books and articles you have written and give citations and the dates of publication for each. NONE
- 13. List all courts in which you have been admitted to practice and list the dates of your admission. Give the same information for administrative bodies that require a special admission to practice.
 - (a) South Carolina Supreme Court; September 21, 1971
 - (b) United States District Court of South Carolina; October 30, 1972
 - (c) United States Fourth Circuit Court of Appeals; September 12, 1974
- 14. Describe chronologically your legal experience since graduation from law school and include a list of all law firms with which you have been associated. Describe the general character of your practice and divide it into periods with dates if its character has changed over the years.

I began the general practice of law in November 1971, in Chester, South Carolina, with Mr. Fred H. Strickland and Mr. E. K. Hardin, who later became Probate Judge of Chester County.

In late 1972, I became a partner in the firm and in approximately June 1973, Mr. Strickland was tragically killed in a house fire and I became senior partner at the age of 26. Mr. William C. Keels graduated from law school in June 1973, and he and I began practicing law together at that time.

I was honored to have been elected to the South Carolina Circuit Court At-Large Seat #8 on February 1, 1991, and served continuously until February 1999, when I was elected Resident Judge of the Sixth Judicial Circuit.

I was elected to the South Carolina Court of Appeals in May 2004.

- 15. What is your rating in Martindale-Hubbell? A.V.
- 22. Have you ever held judicial office?

YES

July 1991-February 1999; South Carolina Circuit Court at Large, Seat #8

February 1999-June 2004; Resident Judge, Sixth Judicial Circuit July 2004-Present; South Carolina Court of Appeals, Seat #1

- 23. If the answer to question 22 is yes, describe or list five of your most significant orders or opinions and give the citations if they were reported. Also list citations to any appellate review of these orders or opinions.
 - (a) <u>Cannon v. SCDPPPS</u>, 361 S.C. 425, 604 S.E.2d 709 (Ct. App. 2004); 371 S.C. 581, 641 S.E.2d 429 (2007)
 - (a) <u>Gillman v. City of Beaufort</u>, 368 S.C. 24, 627 S.E.2d 746 (Ct. App. 2006)
 - (c) <u>Lukich v. Lukich</u>, 368 S.C. 47, 627 S.E.2d 754 (Ct. App. 2006) 379 S.C. 589, 666 S.E.2d 906 (2008)
 - (d) <u>Vortex Sports & Entertainment, Inc. v. Ware</u>, 378 S.C. 197, 662 S.E.2d 444 (Ct. App. 2008)
 - (e) State v. Singley, 2009 WL 1313243 (Ct. App. 2009)

24. Have you ever held public office other than judicial office?

YES; All reports were timely filed with the State Ethics Commission.

South Carolina House of Representatives, elected, 1982-91

Chester County Airport Commission, appointed, 1978-80

Chester County Attorney, appointed, 1980-82

- 25. List all employment you had while serving as a judge (whether full-time or part-time, contractual or at will, consulting or otherwise) other than elected judicial office. Specify your dates of employment, employer, major job responsibilities, and supervisor. NONE
- 26. Have you ever been an unsuccessful candidate for elective, judicial, or other public office?

I withdrew from the South Carolina Court of Appeals, Seat #6 on February 4, 2003, after having been selected one of the three candidates selected by the Judicial Merit Selection Committee.

- 27. Have you ever been engaged in any occupation, business, or profession other than the practice of law, teaching of law, or holding judicial or other public office?
 - (a) Textiles, Inc., Gastonia North Carolina
 - (b) Textile employee during summers while in college; 1964-68
- 28. Are you now an officer or director or involved in the management of any business enterprise? NO
- 29. A complete, current financial net worth statement was provided to the Commission.
- 30. Describe any financial arrangements or business relationships you have, or have had in the past, that could constitute or result in a possible conflict of interest in the position you seek. Explain how you would resolve any potential conflict of interest. NONE
- 31. Have you ever been arrested, charged, or held by federal, state, or other law enforcement authorities for violation or for suspicion of violation of any federal law or regulation, state law or regulation, or county or municipal law, regulation, or ordinance, or any other law, including another country's law?
- 32. Have you, to your knowledge, ever been under federal, state, or local investigation for possible violation of a criminal statute? NO
- 33. Has a tax lien or other collection procedure ever been instituted against you by federal, state, or local authorities? Have you ever defaulted on a student loan? Have you ever filed for bankruptcy? NO
- 34. Have you ever been sued, either personally or professionally, that is, have you ever been named as defendant or respondent in any court of law?

YES I was sued as a member of the Chester County Legislative Delegation by a tax payer who demanded that the Delegation, rather than the Chester County School Trustees, set the school tax millage. The Circuit Court later ruled that the Chester County Board of School Trustees had the taxing authority.

After becoming a Circuit Court Judge, I was also sued by a prisoner acting Pro Se. The case was filed in United States District Court and the Civil Action Number was 4:92-2623-3BD and was entitled: Priest Gerald Garner, #170960 v. Charles Molony Condon, Solicitor; Lee E. Berlinsky, Asst. Solicitor; Paul E. Short, Jr., Judge; Det. Guy R. Vanhorn; Det. Frazier; Det M. Benton; Det. Kay Colleton; and William L. Howard, Judge. I was dismissed from the case by Order dated August 26, 1993, which was duly signed and executed by Judge Ross Anderson.

I was also sued by another prisoner, Mark Steven Fortier. This case was entitled Mark Steven Fortier v. Medlock, et.al., Civil Action Number 3:920 C.V.-33121. This case was filed in U.S. District Court by Mr. Fortier against the Attorney General for South Carolina, me, as Circuit Court Judge, and several other officials. Mr. Fortier was the first State Wide Grand Jury case involving pornography. I was sentencing Judge and Mr. Fortier was apparently unhappy with his sentence. I was subsequently dismissed from the case by United States District Judge.

I was also sued by Mr. Reco Cauthen, although I was never served with process as required by the S.C. Rules of Civil Procedure. I presided over Mr. Cauthen's trial of Grand Larceny, Kidnapping, Possession of a Weapon during the Commission of a Violent Crime, Armed Robbery and Burglary 1st Degree in November 2003 in Chester, South Carolina. During the trial, Mr. Cauthen was allegedly placed in a holding cell with two of his co-defendants who had turned State's evidence. The suit arose out of an alleged fight which ensued.

- 36. Are you now or have you ever been employed as a "lobbyist," as defined by S.C. Code § 2-17-10(13), or have you acted in the capacity of a "lobbyist's principal," as defined by S.C. Code § 2-17-10(14)? NO
- 37. Since filing with the Commission your letter of intent to run for judicial office, have you accepted lodging, transportation, entertainment, food, meals, beverages, money, or any other thing of value as defined by S.C. Code § 2-17-10(1) from a lobbyist or lobbyist's principal? NO
- 38. S.C. Code § 8-13-700 provides, in part, that "[n]o public official, public member, or public employee may knowingly use his official office, membership, or employment to obtain an economic interest for himself, a member of his immediate family, an individual with whom he is associated, or a business with which he is associated." Please detail any knowledge you have of any formal charges or informal allegations against you or any other candidate for violations of these provisions. NONE
- 39. S.C. Code § 8-13-765 provides, in part, that "[n]o person may use government personnel, equipment, materials, or an office building in an election campaign." Please detail any knowledge you have of any formal charges or informal allegations against you or any other candidate for violations of these provisions. NO

- 40. Itemize (by amount, type, and date) all expenditures, other than those for travel and room and board, made by you, or on your behalf in furtherance of your candidacy for the position you seek. NONE
- 41. List the amount and recipient of all contributions made by you or on your behalf to members of the General Assembly since the announcement of your intent to seek election to a judgeship. NONE
- 42. Have you directly or indirectly requested the pledge of any member of the General Assembly as to your election for the position for which you are being screened? Have you received the assurance of any public official or public employee that they will seek the pledge of any member of the General Assembly as to your election for the position for which you are being screened? NO
- 43. Have you requested a friend or colleague to contact members of the General Assembly on your behalf? Are you aware of any friends or colleagues contacting members of the General Assembly on your behalf? NO
- 44. Have you or has anyone acting on your behalf solicited or collected funds to aid in the promotion of your candidacy? NO
- 45. Have you or has anyone acting on your behalf contacted members of the Judicial Merit Selection Commission about your candidacy or intention to become a candidate?
 - YES I have contacted my Representative to advise him that I would be a candidate for the South Carolina Court of Appeals, Chief Judge, Seat #5.
- 46. List all bar associations and professional organizations of which you are a member and give the titles and dates of any offices you have held in such groups.
 - (a) Chester County Bar Association
 - (b) South Carolina Bar Association
 - (c) Appellate Judges Association
- 47. List all civic, charitable, educational, social, and fraternal organizations of which you are or have been a member during the past five years and include any offices held in such a group, any professional honors, awards, or other forms of recognition received and not listed elsewhere.
 - (a) Purity Presbyterian Church; former Deacon, Elder
 - (b) Sertoma International, Life Member
 - (c) Chester Shrine Club
 - (d) Chester Masonic Lodge
 - (e) American Legion
 - (f) Chester Men's Golf Association
 - (g) Phi Delta Phi
- 48. Provide any other information that may reflect positively or negatively on your candidacy, or which you believe should be disclosed in connection with consideration of you for nomination for the position you seek.

While I was practicing law, I had the pleasure to serve and to gain valuable experience on the Board of Commissioners on Grievances and Discipline.

49. References:

- (a) Mrs. Brenda T. McBrayer
 Vice President, First Citizens Bank
 Post Office Box 490
 Chester, South Carolina 29706
 (803) 377-7151
- (b) Ms. Ann Campbell 117 Main Street Chester, South Carolina 29706 (803) 377-4162
- (c) Mr. Daniel R. Settana, Jr.
 Post Office Box 7217
 Columbia, South Carolina 29202
 (803) 256-4645
- (d) Mr. Marvin Waldrep 129 Church Street Chester, South Carolina 29706 (803) 581-6222
- (e) Dr. Bill Johnson Post Office Box 278 Chester, South Carolina 29706 (803) 377-8175
- (f) Judge Ralph King Anderson, Jr. Post Office Box 1562
 Florence, South Carolina 29503 (843) 665-3039

Staff must request reference since he is a sitting Judge.

YOUR SIGNATURE WILL BE HELD TO CONSTITUTE A WAIVER OF THE CONFIDENTIALITY OF ANY PROCEEDING BEFORE A GRIEVANCE COMMITTEE OR ANY INFORMATION CONCERNING YOUR CREDIT.

I HEREBY CERTIFY THAT MY ANSWERS ARE TRUE AND COMPLETE TO THE BEST OF MY KNOWLEDGE.

Signature:

Paul E. Short, Jr.

Date:

July 28, 2009



The South Carolina Court of Appeals

PAUL E. SHORT, JR. JUDGE

158 MAIN STREET, ROOM 107
POST OFFICE BOX 1008
CHESTER, SOUTH CAROLINA 29705-1008
TELEPHONE: (803) 581-5011
FAX: (803) 395-6197
E-MAIL: pshort@scourts.org

August 10, 2009

Judicial Merit Selection Commission Post Office Box 142 Columbia, South Carolina 29202

ATTN:

Mrs. Jane O. Shuler, Chief Counsel

Dear Mrs. Shuler:

Pursuant to your recent instructions, I am amending the PDQ to include the answers to questions 16-21. I have also this date c-mailed this information to you. In regard to question 20, I am taking the briefs to your office.

As I advised, Judge Ralph King Anderson is willing to be one of my references, but he believes that he needs a written request from the Judicial Merit Selection Commission. Obviously, I would like to have Judge Anderson's recommendations; therefore, I respectfully request that you contact him.

With warm regards, I remain

Very truly yours,

Paul E. Short, Jr.

PESjr/hb

Retired judges/justices and judges/justices applying for reelection to their current position may omit Questions 16-21. If a candidate is seeking a judgeship different than his or her current position, Questions 16-21 should be answered based on experience prior to serving on the bench.

16. What was the frequency of your court appearances during the last five years?

(a) federal:

Occasionally

(b) state:

Regularly

17. What percentage of your practice involved civil, criminal, and domestic matters during the last five years?

(a) civil:

20%

(b) criminal:

50%

(c) domestic:

30%

18. What percentage of your practice in trial court during the last five years involved matters that went to a jury, including those that settled prior to trail?

(a) jury:

95%

(b) non-jury:

5%

Did you most often serve as sole counsel, chief counsel, or associate counsel in these matters?

Usually solc counsel and occasionally chief counsel.

- 19. List five of the most significant litigated matters you have personally handled in either trial or appellate court or before a state or federal agency. Give citations if the cases were reported and describe why these matters were significant. Do NOT attach a separate list of your briefs.
 - (a) Walter Neal and Industrial Chemical Company, Inc. v. J. Simpson Darby, L.H. Schwieterman, John Archie Lucas, Donald B. Murray, Marion M. Thomas, and J. F. Martin, as members of the Chester County Council and the County of J. F. Martin, as members of the Chester County Council and the County of Chester (1984) Court of Appeals Opinion #0207 filed June 22, 1984. I was Chester County Attorney in 1980 and the Chester County Council was in the process of adopting an ordinance pertaining to the handling and storage of hazardous chemicals in Chester County. Mr. Neal brought

suit in Common Pleas Court to question the constitutionality of the ordinance and the county counter-claimed on the ground that Mr. Neal's landfill site was a public nuisance. The case was significant both at the trial level and the appellate level, because a small rural county was attempting to protect its citizens and their environment from the disposal of out-of-state hazardous waste. The trial judge and the Court of Appeals both found that the landfill constituted a public nuisance by virtue of its location and upheld the permanent injunction to prevent further disposal of hazardous chemical waste at the site.

- Chester County Hospital and Nursing Center v. J. F. Martin, (b) Simpson Darby, John Lucas, Marion M. Thomas, Don Murray, Carlisle Roddey, Lowell Schweiterman, individually and as members of the Chester County Council, and the Chester County Council (1984) South Carolina Supreme Court Opinion #22053 filed March 6, 1984. In 1981, the Chester County Council was in the process of adopting an ordinance to increase the size of the Chester County Hospital Board and to provide that Council would appoint said Board members. This Board had previously been created by a local act of the General Assembly in 1947 which provided that vacancies would be filled by a two-thirds vote of the remaining Board members themselves. The Board petitioned the Circuit Court for an injunction to prevent the Council from enacting the ordinance. After an extensive hearing on the matter, which included the testimony of many respected leaders of the community such as U.S. District Court Judge Robert W. Hemphill, deceased, the lower Court issued a permanent injunction on the grounds that the County was attempting to exercise power beyond its limitations in violations of § 4-9-170, Code of Laws of South Carolina, 1976, as amended. The South Carolina Supreme Court remanded the case and vacated the injunction. The Court stated that it was well recognized that a Court could not restrain by injunction, the exercise of legislative power by counties. The Court cited 43A C.J.S., which states that restraining power of a Court should be directed against enforcement rather than passage of ordinances. The case is very significant because the Court upheld the County's actions which were undertaken because of the Home Rule Act.
- (c) Vera B. Lawson, Executrix of the Estate of Robert Smith Lawson, deceased v. Bowaters Carolina Corporation U.S. Fourth Circuit Court of Appeals #77-8320, Order filed October 31, 1977. In

this case, I represented the Estate of a painter who was killed while painting the Defendant's plant in Rock Hill, South Carolina. The Plaintiff's husband was employed by Robert's Paint Company, which had a contract with Bowaters to paint their facility. The Plaintiff's husband was killed when a employee of Bowaters drove a forklift into the scaffold supports, thereby knocking the deceased to the ground. A death claim against Robert's Paint Company was filed for Workman's Comp benefits before the South Carolina Industrial Commission and the claim was approved. Subsequently, the Plaintiff filed a wrongful death action against Bowaters Carolina Corporation in U.S. District Court. The Defendant moved for Summary Judgment contending that under the provisions of the S.C. Workman's Compensation Act, the Plaintiff's deceased husband was the "statutory employee" of the Defendant, and therefore, the Plaintiff's sole remedy would be under the provisions of that Act. After considering the briefs and oral arguments of counsel, Judge Hemphill issued his Order on September 15, 1977, in which he denied the Motion for Summary Judgment and ordered the case be calendared for Jury trial. The Defendant petitioned the United States Fourth Circuit Court of Appeals for permission to appeal Judge Hemphill's Order, basing its argument on the grounds that there was a conflict between interpretation of controlling State law between the United States Supreme Court and the South Carolina Supreme Court. They denied the Defendant's petition and the case was later settled. This case was significant because it involved the question of the definition of a statutory employee under the South Carolina Workman's Comp Act.

- (d) Canzadia White, as Administratrix of the Estate of Richard C. Carter, deceased v. Holsum Bakery, Inc. (1972) This was a wrongful death case in which all of the witnesses of the Plaintiff's accident were the deceased's minor children. A lot of preparation was required to ensure that the minor children would be qualified by the Court to testify. A verdict was returned for the Plaintiff, and it has been said that this was, at that time, the highest jury verdict returned in Chester County for the wrongful death of an African American.
- (e) <u>Crystal J. Harmon, Committee for Benjamin Joseph Harmon, an Incompetent v. Aegis Corporation, Long Mill Rubber Company and Ryder Truck Rental Company U.S. District Court, Greenville Division, Complaint filed August 1, 1985. The Plaintiff, Benjamin J.</u>

Harmon, age 21, suffered a totally and permanently disabling brain injury on July 14, 1983, when the automobile he was driving was struck by the Defendant, who had disregarded a traffic control device. I began representing the Plaintiff shortly after his accident, and successfully negotiated an agreement that the carrier would pay for immediate medical care. This was medically significant because it is essential that a person with a brain injury receive extensive rehabilitation immediately after the injury to maximize potential improvement. During my representation, I traveled rather extensively and learned that there are not many facilities in the United States that can adequately care for those with head injuries. A jury was drawn for trial, however, approximately one week before the trial was scheduled to begin, the case was settled in 1986. It was a personally significant case in that it was the largest settlement I ever obtained and required more preparation than any other legal matter I ever handled.

- 20. List up to five civil appeals you have personally handled. Give the case name, the court, the date of decision, and the citation if the case was reported. If you are a candidate for an appellate court judgeship (please attach one copy of briefs filed by you in each matter). Do NOT attach a separate list of your briefs.
 - (a) Walter Neal and Industrial Chemical Company, Inc. v. J. Simpson Darby, L.H. Schwieterman, John Archie Lucas, Donald B. Murray, Marion M. Thomas, and J. F. Martin as members of the Chester County Council and the County of Chester S.C. Court of Appeals, June 22, 1984; 282 S.C. 277; 318 S.E.2d 18.
 - (b) Chester County Hospital and Nursing Center v. J. F. Martin, Simpson Darby, John Lucas, Marion M. Thomas, Don Murray, Carlisle Roddey, Lowell Schweiterman, individually and as members of the Chester County Council, and the Chester County Council S.C. Court of Appeals; March 6, 1984; 281 S.C. 25; 314 S.E.2d 25.
 - (c) Thomas Beckham v. Sara Kay B. Short S.C. Supreme Court; and the S.C. Court of Appeals, June 5, 1989, and January 25, 1988; 380 S.E. 2d 826; 298 S.C. 348; 365 S.E.2d 42; 294 S.C. 415.
 - (d) Patricia Moore Lucas v. Ernest Wendell Lucas S.C. Supreme Court; May 9, 1983; 302 S.E. 2d. 863; S.C.

- (e) <u>Willie Mack Thomas, Sr. and Naomi F. Thomas v. George Wilson, individually and d/b/a Palmetto Mobile Homes</u> S.C Court of Appeals; March 9, 1984; Memorandum Opinion No. 84-MO-007.
- 21. List up to five criminal appeals that you have personally handled. Give the case name, the court, the date of decision and the citation if the case was reported. If you are a candidate for an appellate court judgeship (please attach one copy of briefs filed by you in each matter). Do NOT attach a separate list of your briefs.

I have been serving on the Bench since July 1991, and have not practiced law since that time. I handled a number of criminal cases while practicing law, but I do not recall any of the cases being appealed to the Supreme Court or to the Court of Appeals. I do recall several criminal appeals from the Magistrate Court to the Circuit Court, but I do not recall the names of the individual Defendants at this time.

Laurie Traywick

From:

Jane Shuler

Sent:

Tuesday, October 13, 2009 10:15 AM

To: Subject:

Attachments:

Laurie Traywick FW: Amended PDQ Amended PDQ.docx

From: Burgess, Hethie [mailto:hburgess@sccourts.org]

Sent: Friday, October 09, 2009 12:47 PM

To: Jane Shuler **Cc:** Katherine Wells **Subject:** Amended PDQ

Dear Ms. Shuler,

Attached please find my amendments to PDQ question number 26 and PDQ question number 40. If you need anything further, please contact me.

Thank you,

Paul E. Short, Jr.

AMENDED

JUDICIAL MERIT SELECTION COMMISSION PERSONAL DATA QUESTIONNAIRE

26. Have you ever been an unsuccessful candidate for elective, judicial, or other public office? If so, give details, including dates.

I withdrew from the South Carolina Court of Appeals, Seat #6 on February 4, 2003, after having been selected one of the three candidates selected by the Judicial Merit Selection Committee.

In the Spring of 2003, I was an unsuccessful candidate for the South Carolina Court of Appeals, Seat #3. I was reported out of the Screening Committee Qualified but not nominated.

40. Itemized (by amount, type, and date) all expenditures, other than those for travel and room and board, made by you, or on your behalf in furtherance of your candidacy for the position you seek.

8/6/09	Office Depot (paper & envelopes)	\$ 89.85
8/19/09	Postage (mailing letters to Senate and House members announcing Candidacy) 162 @ .44	\$ 71.28
9/23/09	Postage (overnight mailing of additional Questions)	\$ 13.05
	Total spent	\$174.18

PAUL E. SHORT, JR.

OFFICE: Post Office Box 1006 Chester, South Carolina 29706 (803) 581-5011 HOME: 120 West End Street Chester, South Carolina 29706 (803) 377-3465

October 9, 2009

House Legislative Ethics Committee Box 11867 519 Blatt Building Columbia, South Carolina 29211

Dear Sir:

I am a candidate for Chief Judge of the South Carolina Court of Appeals. As of this date, I have made the following expenditures:

8/6/09	Office Depot (paper & envelopes)	\$ 89.85
8/10/09	Postage (mailing letters to Senate and House Members announcing candidacy) 162 @ .44	\$ 71.28
9/23/09	Postage (overnight mailing of additional Questions)	\$ 13.05
	Total	\$174.18

If you have any questions, please contact me.

With warm regards, I remain

Very truly yours,

Paul E. Short Jr.

PESjr/hb

cc: Ms. Jane O. Shuler
Judicial Merit Selection Commission
Room 104 Gressett Building
Post Office Box 142
Columbia, SC 29202